

The 3rd May, 1982

No. 9 (1)82-6 Lab/3572.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Faridabad in respect of the dispute between the workman and the management of M/s. Acme Process Heat Furnaces Private Limited, 14/5, Mathura Road, Faridabad :—

IN THE COURT OF SHRI HARI SINGH KAUSHIK, PRESIDING OFFICER, LABOUR

COURT, HARYANA, FARIDABAD.

Reference No. 2 of 1982

between

SHRI SHAMIM KHAN, WORKMAN AND THE MANAGEMENT OF M/S ACME
PROCESS HEAT FURNACES PRIVATE LIMITED, 14/5, MATHURA ROAD,
FARIDABAD.

None for the workman.

Shri Gopal K. Khatri for the management.

AWARD

This reference No. 2 of 1982 has been referred to this Court, by the Hon'ble Governor of Haryana,—*vide* his order No. ID/FD/225/81/552, dated 5th January, 1982 under section 10(i)(c) of the Industrial Disputes Act, 1947 for adjudication of the dispute existing between Shri Shamim Khan workman and the management of M/s. Acme Process Heat Furnaces, 14/5, Mathura Road, Faridabad. The term of the reference was :—

Whether the termination of service of Shri Shamim Khan was justified and in order? If not, to what relief is he entitled?

After receiving this reference, notices were sent to the parties for 12th March, 1982. On 12th March, 1982 the representative of the management was present but neither the workman nor his representative was present inspite of receiving the notice. It was already 2.30 P.M. The case was called thrice. In these circumstances, I proceed *ex parte* against the workman and the case was fixed for the *ex parte* evidence of the management for 29th March, 1982. On 29th March, 1982 the representative of the management made a statement as MW-1 in which he stated that the workman had settled his case with the management mutually and also received a sum of Rs 260.41. in full and final settlement of his claim or dispute including the right of reinstatement or re-employment. He further stated that the workman had also given his resignation to the management. He also stated that there is dispute between the parties.

In view of the above *ex parte* statement of the management, I hold that the workman is not interested to pursue his case and also settled his case with the management. So there is no dispute between the parties on the issue so referred to this Court for adjudication. I give my award accordingly. No orders as to costs.

HARI SINGH KAUSHIK,

Presiding Officer,

Labour Court, Haryana, Faridabad..

Endst. No. 704, dated the 31st March, 1982.

Forwarded (four copies) to the Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947 with the request that the rec'dt of the above said award may please be acknowledge within week's time.

HARI SINGH KAUSHIK,

Presiding Officer,

Labour Court, Haryana, Faridabad.

No. 9(1)82-6Lab/3581.—In the pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947) the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Faridabad in respect of the dispute between the workman and the management of M/s. Gopi Chand Textiles Mills Ltd, Sirsa :—

BEFORE SHRI BANWARI LAL DALAL, PRESIDING OFFICER, LABOUR COURT,
HARYANA, ROHTAK.

Reference No. 66 of 1981

between

SHRI SANT LAL, WORKMAN AND THE MANAGEMENT OF M/S GOPI CHAND
TEXTILES MILLS LTD., SIRSA.

Present :—

Shri Tek Chand Gupta, of the workman.
No one for the management.

AWARD

This reference has been referred to this Court by the Hon'ble Governor,—*vide* his order No. ID/HSR/75-81/20979, dated 20th April, 1981 under section 10(i)(c) of the Industrial Disputes Act, for adjudication of the dispute existing between Shri Sant Lala workman and the management of M/s. Gopi Chand Textile Mills Ltd, Sirsa. The term of the reference was :—

Whether the termination of services of Shri Sant Lal was justified and in order ? If not, to what relief is he entitled ?

On the receipt of the order of reference notices as usual were sent to the parties. The parties appeared in response to the same. The workman filed his statement of claim on 25th January, 1982 and the case was fixed for written statement of the management on 23rd March, 1982. On this date of hearing the authorised representative of the workman made the following statement:—

The workman has settled his dispute with the management and received his full and final dues including right of reinstatement or reemployment. The award may be given accordingly.

In view of his statement on further adjudication is required and the parties settled the dispute amicably. The reference is answered and returned accordingly.

Dated the 30th March, 1982.

BANWARI LAL DALAL,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

Endorsement No. 893, dated the 2nd April, 1982

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act.

BANWARI LAL DALAL,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 9(1)-82-6Lab/3582.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workman and the management of M/s. Gopi Chand Textile Mills Ltd., Sirsa :—

BEFORE SHRI BANWARI LAL DALAL, PRESIDING OFFICER, LABOUR COURT,
HARYANA, ROHTAK

Reference No. 67 of 1981

between

SHRI CHANDER PAUL, WORKMAN AND THE MANAGEMENT OF M/S GOPI
CHAND TEXLITE MILLS LTD., SIRSA.

Present:—

Shri Tek Chand Gupta, for the workman.

No one for the management.

AWARD

This reference has been referred to this Court by the Hon'ble Governor,—*vide* his order No. ID/HSR/75-81/20986, dated 20th April, 1981 under section 10 (i) (c) of the Industrial Disputes Act for adjudication of the dispute existing between Shri Chander Paul, workman and the management of M/s Gopi Chand Textile Mills Ltd., Sirsa. The term of the reference was:—

Whether the termination of services of Shri Chander Paul, was justified and in order? If not, to what relief is he entitled?

On the receipt of the order of reference, notices as usual were sent to the parties. The parties appeared in response to the same. The workman filed his statement of claim on 25th January, 1982 and the case was fixed for written statement of the management on 23rd March, 1982. On this date of hearing the authorised representative of the workman made the following statement:—

“The workman has settled his dispute with the management and received his full and final dues, including right of reinstatement or re-employment. The award may be given accordingly.”

In view of his statement no further adjudication is required and the parties settled the dispute referred to this court amicably. The reference is answered and returned accordingly.

BANWARI LAL DALAL,

Dated, the 30th March, 1982.

Presiding Officer,
Labour Court, Haryana, Rohtak.

Endst. No. 894, dated the 2nd April, 1982.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act.

BANWARI LAL DALAL,

Presiding Officer,
Labour Court, Haryana, Rohtak.

No. 9(1) 82-6Lab/3776.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute between the workman and the management of M/s Sikands Limited, 61, N. I. T., Faridabad:—

BEFORE SHRI M.C. BHARDWAJ, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD

Reference No. 381/1981

between

SHRI HARI GIAN, WORKMAN AND THE MANAGEMENT OF M/S SIKANDS
LIMITED, 61, N. I. T., FARIDABAD

Present:—

Shri Bhim Singh Yadav for the workman.

Shri R. C. Sharma for the management.

AWARD

The State Government of Haryana referred the following dispute between the workman Shri Hari Gian and the management of M/s Sikands Limited, 61, N. I. T., Faridabad by order No. ID/ FD/164-81/57172, dated 23rd November, 1981, to this Tribunal for adjudication in exercise of the powers conferred by clause (d) of sub-section (i) of section 10 of the Industrial Disputes Act, 1947:—

Whether the termination of service of Shri Hari Gian was justified and in order? If not, to what relief is he entitled?

Notices were issued to the parties. The management appeared but the workman did not appear despite service on the given address. Therefore, the case was dismissed for non-prosecution. On the next date concerned workman filed an application for setting aside *ex parte* order which was controverted by the management. On the application, issue was framed and the applicant was called upon to adduce his evidence. The applicant in his evidence made a statement which ran counter to the affidavit, hence the application was dismissed. The award in the reference had been deferred on account of the above referred application.

In view of the above facts, I give my award that the reference was not prosecuted by the concerned workman. He was not entitled to any relief.

Dated, the 5th April, 1982.

M. C. BHARDWAJ,

Presiding Officer,

Industrial Tribunal, Haryana, Faridabad.

Endst. No 379, dated the 8th April, 1982

Forwarded (four copies) to the Secretary to Government, Haryana, Labour & Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

M. C. BHARDWAJ,

Presiding Officer,

Industrial Tribunal, Haryana, Faridabad.

No. 9(1)-82/6Lab./3777.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad in respect of the dispute between the workman and the management of M/s Bata India Limited, N. I. T., Faridabad :—

BEFORE SHRI M. C. BHARDWAJ, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, HARYANA, FARIDABAD

Reference No. 231 of 1981

between

SHRI AMAR DASS WORKMAN AND THE MANAGEMENT OF M/S BATA INDIA LIMITED, N. I. T., FARIDABAD

Present :—

Shri K. L. Sharma, for the workman.

Shri C. M. Lal, for the management.

AWARD

The State Government of Haryana referred the following dispute between the workman Shri Amar Dass and the management of M/s Bata India Limited, N. I. T., Faridabad by order No. ID/ FD/86-81/33549, dated 13th July, 1981, to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (i) of section 10 of the Industrial Disputes Act, 1947 :—

Whether the termination of services of Shri Amar Dass was justified and in order ? If so, to what relief is he entitled ?

Notices were issued to the parties who appeared and filed their pleadings. On the pleadings, the following issues were framed by order, dated 14th October, 1981 :—

- (1) Whether the reference is bad in view of preliminary objection in para No. 1 of Written Statement ?
- (2) Whether the resignation was given under duress and coercion ?
- (3) Whether the termination of services of Shri Amar Dass was justified and in order ? If so, to what relief is he entitled ?

The case was fixed for the evidence of the workman on issue No. 2. He was afforded many opportunities but on the last date, the workman made a statement that he had settled his dispute with the management. Therefore, he prayed that no dispute award may be passed.

In view of the statement of the workman, I give my award that the dispute had been mutually settled and there was no dispute between the parties.

Dated, the 5th April, 1982.

M. C. BHARDWAJ,
Presiding Officer,
Industrial Tribunal, Haryana, Faridabad.

Endst. No. 378, dated 8th April, 1982

Forwarded (four copies) to the Secretary to Government, Haryana, Labour & Employment Departments, Chandigarh, as required under section 15 of Industrial Disputes Act, 1947.

M. C. BHARDWAJ,
Presiding Officer,
Industrial Tribunal, Haryana, Faridabad.